

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL F. SCHULZE,
Petitioner,
v.
ATTORNEY GENERAL,
Respondent.

Case No. 2:20-cv-01347-KJD-BNW

ORDER

Petitioner has filed a motion for leave to amend petition. ECF No. 5. He notes that he has not received a response to his initial petition. The court did order petitioner to file an amended petition to correct some defects. ECF No. 3. Petitioner did not receive the order because the mailing address he used was non-existent, and it was returned in the mail. ECF No. 4. The court will grant petitioner's current motion. Petitioner also will need to correct a defect in addition to the amendments that he wants to make.

Petitioner has named the wrong respondent. The correct respondent is the person who has custody over him. 28 U.S.C. § 2242. The correct respondent is the warden of the Nevada Southern Detention Center. In the amended petition, petitioner will need to name the correct respondent.

IT THEREFORE IS ORDERED that petitioner's motion for leave to amend (ECF No. 5) is **GRANTED**.

1 IT FURTHER IS ORDERED that the clerk of the court send petitioner form AO 242,
2 Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241. Petitioner will have 30 days from
3 the date that this order is entered in which to file an amended petition to correct the noted
4 deficiencies. Failure to comply with this order will result in the dismissal of this action.

5 IT FURTHER IS ORDERED that petitioner must clearly title the amended petition as
6 such by placing the word "AMENDED" immediately above "Petition for a Writ of Habeas
7 Corpus Under 28 U.S.C. § 2241" on page 1. Petitioner also must place the case number, 2:20-cv-
8 01347-KJD-BNW, in the space provided on page 1, even though the form states that the clerk
9 will supply the case number.

10 DATED: September 25, 2020



KENT J. DAWSON
United States District Judge